

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VERSATA SOFTWARE, INC.,
VERSATA DEVELOPMENT GROUP, INC.,
AND VERSATA COMPUTER INDUSTRY
SOLUTIONS, INC.,

Plaintiffs,

v.

SAP AMERICA, INC. AND SAP AG,

Defendants.

CIVIL ACTION NO. 2:07-cv-153-RSP

DEFENDANTS' NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Defendants SAP America, Inc. and SAP AG (collectively, "SAP") in the above-captioned matter hereby appeal to the United States Court of Appeals for the Federal Circuit the Final Judgment, entered on March 17, 2014, in accordance with the Judgment previously entered and to ensure compliance with Rule 58(a) (Dkt. No. 612), and any and all underlying issues, rulings, decisions, and orders of the District Court ancillary or subsidiary thereto, as well as all subsequent orders memorializing or relating to that ruling, including without limitation:

1. Order, entered on January 21, 2014 (Dkt. No. 596), granting Versata's Motion to Dismiss Its Remaining Claims and Equitable Relief on Grounds of Mootness;
2. Order, entered on February 1, 2014 (Dkt. No. 600), refusing to modify the Order granting Versata's Motion To Dismiss Its Remaining Claims And Equitable Relief On Grounds Of Mootness;

3. Memorandum Order, entered on March 17, 2014 (Dkt. No. 611), granting
Versata's Motion Under Fed. R. Civ. P. 58(d);
4. Memorandum Order, entered on April 21, 2014 (Dkt. No. 617), denying relief in
SAP's Motion for Relief From Judgment Under Fed. R. Civ. P. 59(e) Or 60(b) Or
For A Stay (Dkt. No. 598) and SAP's Renewed Motion for the same relief (Dkt.
No. 615).

Dated: April 21, 2014

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Thomas M. Melsheimer

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Counsel for Defendants
SAP AMERICA, INC. AND SAP AG

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on the 21st day of April 2014, on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/ Thomas M. Melsheimer
Thomas Melsheimer